

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-4 are pending in this application. Claims 1 and 3 are amended.

In the Office Action dated April 4, 2005, the specification is objected to. Claims 2 and 4 stand rejected under 35 U.S.C. § 112, as being indefinite. Claims 1 and 3 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Kuo *et al.*, U.S. Patent No. 5, 991,201. Claims 2 and 4 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and rewritten in independent form.

Allowable Claims

Applicants thank the Examiner for indicating the allowability of claims 2 and 4, subject to amendments.

Objection to the Specification

The objection to the specification is respectfully traversed. Claim 2, for example, recites “the step of testing selected bits of the memory, and defining the initial predetermined time based on the testing.” Support for this language is provided, for example, in paragraph 0016:

The algorithm is implemented in logic that will select the program time based on seeing the same bit get programmed repeatedly. On the first attempt, a default time is selected. On the second attempt, the address of the bit is compared and found to be the same location, then the programming time is extended by approximately an order of magnitude. On the third attempt, if the address is the same again, the program time is extended even longer. The process can continue.

Paragraph **0019** also provides support for this claim language:

By automatically selecting a longer program time for bits which require it and automatically selecting a short time for those bits that program quickly, tester time is saved, and no user intervention is needed. This algorithm also applies to “in system” programming as well, where time is not important, but success of programming is important.

Accordingly, Applicants respectfully reconsideration and withdrawal of the objection to the specification.

The rejection under 35 U.S.C. § 112, second paragraph

Claims 2 and 4 stand rejected under 35 U.S.C. § 112, second paragraph. These rejections are respectfully traversed. The paragraphs quoted above provide sufficient explanation of how the testing is performed, and Applicants do not believe that any amendments are required to address the rejections. Applicants therefore request reconsideration and withdrawal of the § 112 rejections.

The rejection under 35 U.S.C. § 102(b)

Claim 1 recites “increasing the predetermined time by approximately an order of magnitude.” At least this aspect is not disclosed in Kuo et al., which increases the time by about a factor of 2, not by an order of magnitude. Applicants therefore request reconsideration and withdrawal of the § 102(b) rejection of claim 1.

Claim 3, as amended, recites “repeating steps (a)-(b) with a program time that is increased by an order of magnitude until the bit is programmed.” At least this aspect is not disclosed in Kuo et al. Applicants therefore request reconsideration and withdrawal of the § 102(b) rejection of claim 3.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


George S. Bardmesser
Attorney for Applicants
Registration No. 44,020

Date: 5/16/05
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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